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China Conference Recap

INTRODUCTION

On March 23 and 24, the U-M Institute for Continuing Legal Education hosted the seminar, "China: Legal System, International Relations, and Foreign Trades." The topics covered included Criminal Law, with Jerome Cohen (Harvard, law) and Martin Whyte (U-M, sociology); Civil Law, with Victor Li (Stanford, law) and Whitmore Gray (U-M, law); Chinese Attitudes toward International Law, with Cohen and Li; and the Legal Framework of China's Foreign Trade, with Cohen. Allen S. Whiting (U-M, political science) spoke on China's Foreign Relations, bringing to the topic his experience as a consultant to the National Security Council and Department of State and as a former Deputy Consul General in Hong Kong. Alexander Eckstein (U-M, economics) spoke on China's Foreign Trade. Everett Hollis, a lawyer with much business experience, added a less academic viewpoint to the conference.

Russ Scarlett and Scott Ewbank, both of whom spent over a year in Asia and studied Asian affairs in college, were student participants in the conference. Scarlett describes the criminal law and some non-legal aspects, Ewbank discusses the civil law. --Eds.

思想改造¹

GENERAL BACKGROUND AND CRIMINAL LAW

"I have heard it said that a state which is about to perish is sure to have many governmental regulations." Whitmore Gray's quotation was from the thought of a Chinese dignitary of the sixth century B.C. From that time until 1911, there evolved in China a sophisticated and complex system of sanctioning agencies, of which the judiciary was only a part. Below the level of the formal legal system were societal groups, such as the village

see CHINA p. 4

RES GESTAE

Ann Arbor, Michigan

「打倒法律教育」²

March 30, 1973

Harris vs. HRP

Editor, Res Gestae:

Perhaps you'd publish a few words on behalf of voting for the Democrats on April 2. Space forces me to limit myself to a summary of argument. 1) Continuation of three party politics raises the very real possibility of continuous rule of Ann Arbor by the local Republican Party, which is now securely in the grasp of the conservative wing of that Party; 2) whether Democrats or Republicans rule Ann Arbor involves a value spread that is significant, since

see HARRIS p. 2

HRP vs. Harris

Editor, Res Gestae:

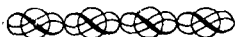
It is depressing to hear that the outgoing Democratic mayor can only find one reason to urge citizens to vote Democrat: the threat of a radical-liberal vote split. That is the only non-issue that the Democrats have going for them. And the only race in which that is true is in the Fifth Ward Council race where ironically, in terms of the candidates, the voters have the clearest choice in the

see HRP p. 2

the local Dems are a bit to the Left of McGovern and the local Repubs are a bit to Right of Nixon; 3) the rhetorical differences between HRP and the local Dems over how far Left a platform should go means very little in practice, since neither Party can actually take the city further Left than the Democratic platform, and it is dubious that either can go that far Left; 4) the reason no party can go further Left than that is that to rule requires fairly prolonged control of mayor's office and Council majority plus enough support in the electorate to pass vital referenda concerning taxes and charter amendments -- and there is no radical majority in the citywide Ann Arbor electorate; 5) coalition government on the City Council level, with some members of the coalition being elected as Dems and some as HRP's will never turn out to be vigorous government; nothing requiring continuing cooperation could be carried through by such a fragile coalition, whose members are preoccupied by the task of wooing away voters from each other's parties; 6) since either HRP or the local Dems must fade away (if the local government is to reflect the wishes of the 60% of the electorate which is not Republican), HRP is the more logical group to disappear, inasmuch as its vote totals citywide are much smaller than those of the Dems -- both last April

and last November; 7) moreover, it is impossible to bury the local Democratic Party and keep it buried since, even if it were shut out in city elections for five years in a row, its precinct workers would continue working, sustained by occasional success in electing Democratic candidates on the county, state, and national levels -- levels where Dems have a chance and HRP's do not. HRP, if shut out on the city level in a few elections, will disappear.

/s/ Robert J. Harris



city. Why won't the Democrats run on their record?

HRP, in its one short year on Council, has introduced more progressive legislation than the other two parties combined. The best the Democratic candidates have been able to say on the issues is "Me too." When we speak of "community control", we mean that people must have control over decisions which affect their lives. A panel of experts does not know what is best for you. Yet the Democrats have opposed putting tenants of public housing on the Housing Commission; restructuring the AATA Board to provide representation for users of the transit system; and funding for the user-controlled Community Women's Clinic. This is "left of McGovern?"

Last year in its first city election, HRP gained 24% of the vote citywide despite the fact that we only ran a campaign in two of the five wards. In contrast, this year we have run a strong campaign citywide for mayor.

The Republican candidate for mayor, Jim Stephenson, with every slight nudge to the right, has gone out of his way to take a bounding leap to the right. The arrogance he has displayed recently in public -- to the point of insulting his audiences -- will ensure that the Republican percentage remains around 35% as in the fall. Coupled with the increase in registered voters from 57,000 last April to 77,000 this year -- few of whom are Republicans -- it is doubtful that any party will receive above the mid-30's in percent. In short, the mayoral race is indeed a three way race. And HRP will win at least one or as many as three more council seats.

If the Democrats are so afraid of the Republican minority controlling the city, why wouldn't they go along with HRP's proposal for preferential voting? (With

Kamisar vs. Chambers

Yale Kamisar said that President Nixon's proposal to abolish insanity as a defense against murder and related federal crimes is "a shallow political appeal to the public." But David Chambers says the proposal may have some merit.

Kamisar, the criminal law authority, said the President's proposal would have little effect on the large number of defendants who are declared incompetent to stand trial and who spend many years in mental institutions before they are found mentally competent.

He said President Nixon's proposal also lacks substance because the insanity defense has emerged largely as an alternative to the death penalty, which was struck down by the U.S. Supreme Court in a 1972 ruling.

"In many jurisdictions," he added "it makes little difference whether a convicted murderer is sent to a prison or a mental institution, since both settings offer equally restrictive environments."

But Chambers, who has written extensively on legal rights of the mentally ill, said he would support the President's proposal if it were accompanied by a plan to upgrade psychiatric programs at the nation's prisons.

A major effect of the insanity defense over the years, according to Chambers, is that "some of the most dangerous criminals have been incarcerated in mental hospitals rather than in prisons."

Both Chambers and Kamisar agree it is unlikely that President Nixon's proposal would be upheld by today's Supreme Court, in light of a previous Supreme Court ruling maintaining that a defendant could not be subject to criminal sanctions if he could prove he was not responsible for his actions at the time of the crime.

Both men offered these views in response to the announcement that President Nixon will soon propose legislation that would make it more difficult for a defendant to avoid conviction by proving he was insane at the time of the crime. According to the proposal, the issue of a defendant's mental state would arise during a trial only if his derangement is so serious that the prosecution is unable to prove he had criminal intent at the time he acted.

Kamisar further characterized Nixon's proposal as, "an example of the President telling Middle Americans what he thinks they like to hear." He also said the President would face opposition in his proposal to restore the death penalty for certain federal crimes, such as assassination, treason, kidnapping, air hijacking and the murder of law enforcement officials and prison guards.

-- U/M News Service



MORE HRP from p. 2

preferential voting every voter would be able to vote first choice and second choice out of the three.) Harris has made the answer clear in his letter and in a recent speech. The Democrats are more concerned with destroying HRP so they can return to clutching the status quo and running full time professionals who moonlight on Monday night for City Council than they are with who controls the city.

The HRP candidates are proud to run on HRP's record. Our councilpeople have taken the lead in bringing progressive measures before the council. Vote for your first choice next Monday. Vote HRP!

/s/ John R. Minock
HRP City Council
Candidate, 5th Ward

and clan, which imposed sanctions by their own authority; disputes were kept out of the formal court system as much as possible. The Republic of China, as part of its entry into the modern world, adopted a legal system borrowed from Western Europe. In 1949, the People's Republic of China (PRC) discarded that system. In its place was originally an adaptation of the legal structure of the USSR, but eventually that, too, was seen as essentially a Western system, and therefore unsuited to China's needs.

It was not until 1954 that a Constitution was promulgated, codes were drafted, and legal education began to be formalized. Such rights as the freedom of speech were expressly stated in the codes. Yet, by 1957, the Constitution and codes were already outdated, as the PRC sought to integrate everything from the lowest household to the highest courts into an administrative processing structure. Lawyers are not a part of this, and the courts have become a means of administrative review without public hearings. Without lawyers, and without much formally published law, how does the public know what is expected of it? This is much like asking how Americans know what is right and wrong, in that the average person does not rely on statutes to make the distinction. Much of the awareness of propriety comes with one's cultural inheritance: murder, for example, has always been wrong, and no Chinese needs a lawyer to tell him that it still is. For the distinctions requiring greater exposition, the most important source is the newspapers, such as The People's

革命³

Daily. Proper societal expectations may also be transmitted by word of mouth -- especially within the local committees. Everyone belongs to a number of committees, if for no other reason than that he resides in a particular unit of one apartment building on a certain street. Now, the main purpose in actually publishing a law is to teach new attitudes.

If it is determined, by a committee chairman or by the police, that someone has violated the standards, it is rare for the applicable sanctions to be labeled as "criminal," or even to be recognizable as such to Americans. Thus, an offender might receive only a lecture. Slightly worse would be to engage in self-criticism before the smallest committee to which one belongs. More serious would be to undergo group criticism before a larger committee: this step has driven some persons to suicide. Other possibilities include controlled labor, extra hours of ideological lectures, or formal stigmatization (such as wearing a cap which looks much like a "dunce cap," but is regarded as a symbol of truly shameful conduct). One might also be sent to a camp for "rehabilitation through labor." Even those who warrant such treatment are still called "non-criminal;" this narrow definition of crime may account, in part, for the PRC's low "crime" rate.

The PRC takes a different approach to its labor camps than the USSR has. In the Russian camps, common criminals were placed in charge of political prisoners, and production was so emphasized that many inmates died. The PRC views the common criminal as suffering a political problem: thus, everyone undergoes two hours of political re-education per day. Production is important, and none of the refugees interviewed expressed the least desire to return to one, but the inmates are treated as simply having been mistaken. They are worthy to return to society as soon as they have genuinely seen the error of their ways and have assimilated the proper view of their role in furthering the welfare of "the people."

Victor Li mentioned that, wherever he goes, he stresses that the People's Republic of China is not a market of 800 million consumers; yet people continue to be drawn to conferences on China mainly to appraise trade prospects. Actually, a conference such as this one, expounding broad concepts of cultural contrast as reflected in the legal order, may prove more pragmatically useful than a conference which confined itself to "strictly

NOTICES

LOST AND FOUND

The Law Library Lost and Found has accumulated many items and will be turning them over to the general University Lost and Found if they are not claimed soon. We have scarves, mittens, gloves, jackets, sweaters, books and many other items. If you have lost any of the above recently, please stop in Room 367 Legal Research and check.

--Mrs. Curley

TUESDAY
APRIL 3, 1973

Lunch in the Faculty Dining Room for all members of the Law School Community interested in hearing Zena Zumeta talk on her experiences at the National Conference of Law Women held at the University of South Carolina during spring break. Other topics for discussion will include the proposed pilot day care center for the law school.

Club residents and others who choose to go through the line should bring their trays into the faculty dining room. All others may bring sack lunches or fast or whatever.

* * * * *

Caucus of Caucuses

Tuesday, April 3, at 4 pm on the third floor of the Union in the offices of the OSS a meeting of all interested students who are involved with departmental caucuses on the problems of women students will be held. The famous slide show will be shown.

* * * * *

PLACEMENT NOTES - -

If you have not as yet filled out an address form for the Placement Directory, please do so today! Forms available outside 100 and in the Placement Office.

INTERVIEW - Wednesday, April 4 - Foster, Lindemer, Swift & Collins, P.C., Lansing - seeking second year clerk. Sign-up in Placement Office.

NOTICES - we have recently received a number of openings for the bulletin board, especially for third-year people.

REMINDER - if you have accepted a job, please report it to our office.

MICHIGAN LAW CRITIQUE

IF YOU GO TO CLASSES, WE NEED YOU.

We need one person from every class to administer the course evaluation questionnaire. All you need do is devote a total of one hour's time, fifteen minutes of which is in class. Please call or contact in some other manner: David Gross, 662-9421

The University of Michigan Journal of Law Reform is pleased to announce the selection of the Editorial Board for Volume 7:

Editor-in-Chief	Lawrence R. Mills
Managing Editor	Gail L. Achterman
Articles Editor	Lloyd A. Fox
Administrative Editors	Ivan J. Schell Richard F. Babcock, Jr.
Staff Editors	Clifford D. Allo Richard J. Gray Richard A. Riggs Rita E. Seeligson Vincent J. Tolve

SUMMER LEGAL AID INTERNSHIPS

Summer internships, paying \$1000 each for ten-weeks' work, are being sponsored jointly by the Summer Legal Aid Program, an activity of the University of Michigan Legal Aid Society, and five legal aid clinics within the state. The clinics will hire one student each, with funds being contributed by the State Bar of Michigan.

The function of the Summer Legal Aid Program itself is simply to recruit funding and arrange for internships. All hiring, training, and work supervision will be conducted by the individual clinics themselves. The Summer Legal Aid Program thus does no screening, handles no applications, makes no recommendations, etc. Applicants should furnish a resume to the clinic(s) where they would like to work, with some notation as to why the applicant is interested in a legal aid position as such.

Addresses of the clinics are furnished below. Specific questions concerning individual clinics should be directed to the particular clinic, but general information is available from Pete Dodge, 761-1781. The internships are available to students at the University of Michigan, University of Detroit, and Wayne State University Law Schools.

Participating Clinics:

BAY-MIDLAND LEGAL AID SOCIETY
923 N. Water Street
Bay City, Michigan 48706
Paul N. Doner, Director

BERRIEN COUNTY LEGAL SERVICES BUREAU
901 Port Street
St. Joseph, Michigan 49085
Edward M. Yampolsky, Director

LEGAL AID SOCIETY OF CALHOUN COUNTY
205 Capital Building
Battle Creek, Michigan 49017
William L. Coash, Director

KALAMAZOO COUNTY LEGAL AID BUREAU, INC.
415 County Building
Kalamazoo, Michigan 49006
Ms. Royena Hornbeck Tice, Director

UPPER PENINSULA LEGAL SERVICES, INC.
213 West Spruce Street
Sault Ste. Marie, Michigan 49783
William James, Director

Senior Day 1973 - May 12

PLEASE!! Whether or not you plan to attend Senior Day ceremony, see Mrs. Gay Howe, 320 Hutchins Hall and fill out the Senior Day form NOW!!

The deadline for the

SUMMER
CLINICAL LAW I

reservation request
form is

FRIDAY, APRIL 6, 1973

Law Student Division
American Bar
Association

If you would like to be a liason person between the law student division of the ABA and one of the ABA Sections, i.e. family law, legal education, individual rights and responsibilities, natural resources, all you have to do is make yourself known to the rep from this school who will be glad to take your name to the national meeting and promote your appointment to the position. The job lasts

cont'd from below

NON-LEGAL CONSIDERATIONS

The attitudes with which one approaches China may be as important as one's knowledge of a special field. Perhaps this was in Allen Whiting's mind as he presented a view of China's foreign policy. Certainly he took great pains to dispel the notion, based on half-truths, that China's aggressive potential is to be feared. Such a notion

民憤⁴

was fostered by Dean Rusk's mention that by 1980 there would be a billion Chinese armed with nuclear weapons, and by Melvin Laird's public worries over large Chinese forces. A U.S. Navy Captain, writing in Foreign Affairs for July, 1972, labeled the PRC Navy as the world's third largest submarine force and the third largest in number of personnel assigned, and listed it as having 1,200 naval vessels.

The facts are correct, but more facts alter the impression: e.g., the largest vessel in the fleet is a destroyer. There are over forty submarines, but Whiting sees that as reasonable, considering the long coastline, the use of the East China Sea as an internal communications net, presence of the U.S. Seventh Fleet. Overseas adventures do not seem likely: transport vessels could move only 40,000 men to invade Japan, for example. The army contains over 3,000,000 soldiers, but they are needed as much for internal security as for external, particularly so because of the hostility of non-Chinese border peoples. Forty thousand men are tied down near Korea as a hedge against future troubles, there. The air force has been good enough to shoot down a dozen USAF fighters during the Vietnam conflict, but this could have been to mark the Chinese border as inviolable. Overall the Air Force does not appear eager to engage American forces.

As for nuclear weapons, it appears that China has good reason to want a deterrent force to prevent nuclear blackmail. In 1954, for example, Washington told Peking that if the PRC inter-

one school year and will involve a couple of trips to meetings--paid for by someone else, needless to say. A full list of sections is on the LSD board in the basement hallway of the library.

INTERESTED?

1. Check the list of sections for the one that interests you most.
2. Prepare to join the section by getting a form off the pad on the board.
3. Submit your name, phone, and section choice by writing same on a piece of paper and putting it under the RG door.

SECTION	DESCRIPTION
(AL) ADMINISTRATIVE LAW	Presents and improves administrative processes of government; protects rights of individuals, businesses.
(AT) ANTI-TRUST LAW	Promotes public interest through study and refinement of antitrust law, cooperates with groups seeking uniform laws.
(BA) BAR ACTIVITIES	Collects data on bar activities, stimulates meaningful state and local bar programs.
(CL) CORPORATION, BANKING AND BUSINESS LAW	Studies and solves the complex problems in the mushrooming field of commercial law.
(CR) CRIMINAL LAW	Scrutinizes such matters as counsel for indigents, Federal Rules of Criminal Procedure, police investigative methods, related problems.
(FL) FAMILY LAW	Prepares and disseminates data on latest practices and procedures in family law.
(GP) GENERAL PRACTICE	Helps the general lawyer remain versatile, up-to-date, efficient. The principle publication is Law Notes.
(IR) INDIVIDUAL RIGHTS AND RESPONSIBILITIES	Provides discussion and education in the expanding field of basic substantive rights of the individual--society's duty to him and his to society.
(IL) INSURANCE, NEGLIGENCE, AND COMPENSATION LAW	Weighs developments in fidelity and surety, fire, general liability, aviation, miscellaneous casualty, and other important insurance areas.
(IC) INTERNATIONAL LAW	Studies all phases of international law, simplifies procedures of international practice.
(JA) JUDICIAL ADMINISTRATION	Works to erase court backlogs, create minimum standards for the bench, improve judicial administration procedures.
(LL) LABOR RELATIONS LAW	Helps labor and management lawyers keep pace with the rapidly developing law of labor relations.
(LE) LEGAL EDUCATION AND ADMISSIONS TO THE BAR	Enforces legal education standards, approves law schools, works for adoption of Code of Recommended Standards for Bar Examiners and Bar Examinations.
(LG) LOCAL GOVERNMENT	Studies and reports on the multiplying problems of local government, including zoning, city planning, condemnation, and renewal. (\$3.00)
(NR) NATURAL RESOURCES LAW	Works on mineral leasing, oceanography, federal water rights, public land laws, and assists all industries engaged in problems of natural resource development.
(PT) PATENT, TRADEMARK AND COPYRIGHT LAW	Covers law pertaining to intellectual property under Common Law statutes and international treaties.
(PC) PUBLIC CONTRACT LAW	Studies government contracts, public housing, road construction, simplification of public contract procedure and practice and many other vital areas.
(PL) PUBLIC UTILITY LAW	Provides an impartial forum for all attorneys--representing public agencies, corporations or investors--who deal with public utility law.
(RP) REAL PROPERTY, PROBATE AND TRUST LAW	Concerns itself with administration of estates, guardianship law, trust administration and techniques of estate and tax planning and other phases of real estate law.
(TX) TAXATION	Engages in a constant review of our multiplying tax laws as they affect individuals, businesses, trusts, and estates.
YOUNG LAWYERS SECTION	Gives young ABA members the chance to work actively for and in the bar. The principle publication is Law Notes.

MORE CHINA from p.4

business" matters. There are big bucks to be made, but not for very many people. Conceivably, a good business mind which also understood non-business aspects of Chinese life would have the best chance to profit.

see next column

page seven

see next page

from previous page

vened in Vietnam, the U.S. would consider using nuclear weapons on China. Later, the U.S. supplied howitzers capable of firing nuclear shells to Chiang Kai-shek for use on the offshore islands. The belligerent statements of the PRC as to China's ability to rebound from a nuclear strike may reasonably be interpreted as a message that such threats will not cow China. It is hard to picture the PRC's nuclear capacity as an offensive threat, because none of the conventional services would be capable of a follow-up invasion.

好省快多⁵

Unfortunately for the theoretical ideal that one can reform oneself to be as good a member of society as anyone else, there are certain policies which hinder the transformation. For example, there are formal class categories, established in 1949. The higher the status of oneself or of one's family under the old regime, the less likely one is to advance in the new structure. Official statements claim that the offspring of bad families can better their lot, but the reality is discrimination in higher education and in the choice of politically desirably marriage partners, for example.

VIETNAM 越南

Fire in the lake: the image of
revolution

Thus the superior man
Sets the calendar
And makes the seasons clear.

- I Ching

Prof. Victor Hoo Li in his talk on civil law in the People's Republic of China demonstrated some of the nuts and bolts helping to form the "superior man" and "set the calendar" in today's China. Prof. Li, spoke at Institute for Continuing Legal Education's Seminar on Chinese law, here, Saturday, March 24. Prof. Li, is a professor of international law at Stanford and recently returned from a trip to China.

The old civil law is far from dead in China but Prof. Li sees it today as only a beginning for new ways to settle disputes and provide answers for social questions. His observations included how ideology is "bent" and laws modified to meet social issues.

As an example of this, Prof. Li cited how freedom for women with greater rights to work and marry under the 1950 Marriage Law, have had to retrench in the face of other goals. The reason for this is that with the addition of women the work force grew too large. Due to events in 1955 women were urged once more to become "good socialist mothers". The Great Leap Forward has since reversed this trend. Women are again urged to work in industry.

In contrast to this, Li stated that ideology has not bent in managing major industry. Since equal distribution of income is a more important goal than high production, he says, it fits more easily into political goals. An interesting effect of this, Li claims, is the faith that new programs and laws will work out social contradictions and at the same time increase production.

洋鬼子⁶

Perhaps Li's most interesting finding concerns the resolution of disputes. While there is much new literature on co-operation in industry, there is almost nothing on contract disputes. Li says this is a basic reflection of how managers and workers feel they should work together. Can anyone imagine same feelings from General Motors and the UAW at contract time?

A further result of this feeling is that much communication takes place between parties on how an obligation should be fulfilled. The idea is to eliminate conflict by knowing what the other party expects at all times. Dispute is also minimized, Li says, by the positive attitudes of the parties. Resolving disputes is for

from previous page

"socialist construction" not for performance or a suit. The result, Li says is "ideological imperatives carried out in a framework of agreements made and completed."

Civil law in China has undergone great change. According to Prof. Li, Chinese leaders still believe there is a long way to go. But as Chairman Mao has said "Revolution is no tea party."

打倒美帝国主义⁷

-- Russ Scarlett
Scott Ewbank

KEY TO CHINESE CHARACTERS

- | | |
|---|------------------------------------|
| 1. Thought Reform | 2. Down with Legal Education! |
| 3. Revolution | 4. The People's Anger |
| 5. Better! More Thriftily!
Faster! More! (production imperative) | 6. Foreign Devils |
| | 7. Down with American Imperialism. |



The following decision by the Equal Employment Opportunity Commission has an obvious applicability to situations which may arise and, indeed, have already arisen in the Michigan Law School Placement Office. We thank the Women's Rights Law Reporter for the digest

EEOC DECISION No. 72-2041, Case No. YCHI-409, June 12, 1972, Opinion (8pp.).

Acting on a complaint filed by the Women's Caucus of the University of Chicago Law School, the Equal Employment Opportunity Commission found that a law school's placement service is an employment agency within the jurisdiction of Title VII, 42 U.S.C. § 2000 (c) *et seq.*, and held that an employment agency has an affirmative duty to prevent discrimination by employers using its facilities.

The Commission extended a previous holding that "employers have a duty to maintain a working atmosphere free from discrimination in the employment agency situation. Harassment of an agency's clients or toleration of their harassment is a form of prohibited discrimination, and as an employment agency the law school must take affirmative action where necessary to maintain an atmosphere for its student clients free from intimidation because of sex. "That duty requires positive action to break the chain of traditional discrimination and to neutralize the chilling effect of such traditional discrimination." at 3

The law school had responded to women law students' oral and written complaints of discriminatory treatment merely by writing letters to the offending employers. The Commission held that the law school's actions were not reasonably calculated to eliminate known discrimination, since good faith efforts to end past discrimination are judged under Title VII by their effect. Further actions are required to 'break the chain', since the law school knew women lawyers hold a disproportionately small number of jobs in large, private law firms such as those using its facilities, and in fact most of those that interviewed had few if any female attorneys.

In addition, under EEOC Sex Discrimination Guidelines (29 C.F.R. § 1604.5), the law school is charged with responsibility for knowledge of EEOC decisions and opinions, including those involving employers using its facilities. Such

knowledge constitutes knowledge of discrimination, triggering the affirmative action duty to eliminate discriminatory practices of employers using its facilities. Since these guidelines impose responsibility on employment agencies beyond merely avoiding active discrimination, the law school's attempt to fill requests in letters from firms for "men" implicated it in responsibility for the employer's discriminatory practice.

Thus the Commission found reasonable cause to believe the University of Chicago Law School's Placement Service had engaged in unlawful employment practices in violation of Title VII, denying female law students, as a class, equal employment opportunities by failing to fulfill its duty to insure equal treatment of women.

ROBERT TAFT, JR.
OHIO



United States Senate

WASHINGTON, D.C. 20510

March 13, 1973

Ms. Katherine Gerstenberger
c/o University of Michigan Law School
The Lawyers Club
Ann Arbor, Michigan

Dear Ms. Gerstenberger:

This is to acknowledge the telegram which I have received from you and your colleagues. I would very much appreciate it if my response could be posted so that all who signed the message could read my answer.

I have strongly supported the National Legal Services Program in the past and will continue to do so. I feel legal services programs have been quite beneficial for those citizens in our country who otherwise could not obtain legal counsel.

As ranking minority member of the Senate Subcommittee on Employment, Manpower and Poverty, I will make every effort to see that legal services programs are continued. I believe a national independent legal services corporation should be created with few if any restrictions placed on the type of legal assistance available for the disadvantaged.

I commend your concern regarding this important subject.

Sincerely,

A handwritten signature in dark ink, appearing to read "Bob Taft 1." with a stylized flourish at the end.
Robert Taft, Jr.